



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

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November 30, 2001

Phyllis A. Watkins
Attorney at Law
3951 Snapfinger Parkway
Suite 585
Decatur, GA 30035

01-R-1855

RE: Michael Means

Dear Attorney Watkins:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on November 19, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,
Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0696

Date: November 1, 2001

Claimant /Victim MICHAEL MEANS
BY: (Atty) Phyllis A. Watkins
Address: 3951 Snapfinger Parkway, Suite 585, Decatur, Georgia 30035
Subrogation: Claim for Property damage \$ Bodily Injury \$ **\$800,000.00**
Date of Notice: 11/09/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 05/28/00 Place: 3060 Peachtree Road
Department Police Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he was wrongfully arrested. The claimant has filed a lawsuit in the State Court of Dekalb County to resolve the issues raised in his claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

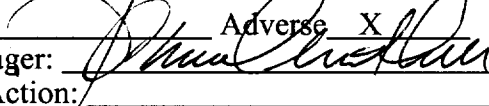
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 11-02-01
Committee Action: Council Action

RCS# 3297
11/19/01
5:16 PM

Atlanta City Council

Regular Session

MULTIPLE

Unfavorable Claims; Public Safety Items
19 through 37
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

01-R-1835
01-R-1836
01-R-1837
01-R-1838
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01-R-1840
01-R-1841
01-R-1842
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01-R-1849
01-R-1850
01-R-1851
01-R-1853
01-R-1855

MULTIPLE

Entered - 11/14/00 - sb
CL00L0696 - ALEXIS HOLMES

01- R-1855

CLAIM OF: MICHAEL MEANS,
through his attorney,
Phyllis A. Watkins
3951 Snapfinger Parkway
Suite 585
Decatur, Georgia 30035

For damages alleged to have been sustained as a result of an arrest on
May 12, 1999 at 3060 Peachtree Road.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL NOV 19 2001

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADVISORY COMMITTEE

DATE: _____

CHAIR: C. T. Martin

Chela Thompson
James
Curry

